

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51903 of 2017**

Arising Out of PS.Case No. -2356 Year- 2016 Thana -PATNA COMPLAINT CASE District-  
PATNA

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1. Alok Kumar, son of Sri Padam Singh, Resident of Mohalla - Yogipur, Chitragupta Nagar, P.S.-Patrakar Nagar, District-Patna, at present residing at House No. 15, Ward No. 1FA, Patliputra Colony, P.S. Patliputra, District - Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Smt. Anita Rani, wife of Prem Kumar Singh, resident of village-Rukanpura, P.S.-Bakhtiarpur, P.O.-Khushrupur, District-Patna, presently residing at House No. 85-D, 1st Floor, near P & M Mall, Patliputra Colony, P.S. Patliputra, District - Patna.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Prakash Kumar, Advocate  
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP  
Mr. Kumar Kaushik, Advocate

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

5/ 18-12-2017

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the Opposite Party No.2.

Petitioner apprehends his arrest in **Complaint Case No.2356(c) of 2016** instituted for the offence under Section(s) 406 Indian Penal Code and Section 138 of the Negotiable Instrument Act.

Counsel for both sides have appeared and submitted that they have settled the matter out side the Court.

It is alleged in the written report that petitioner gave four cheques to the Complainant each of rupees ten lac which got bounced.



Today, both parties have stated that they have settled the matter outside and in terms of compromise petitioner will make payment of rupees forty lac to the Complainant in twenty equal installments of rupees two lac each. It is also agreed between the parties that the petitioner will make payment of even more amount than provided in installment if he is capable to do so in order to liquidate the entire amount.

Counsel for the petitioner has further submitted that he has already made payment of rupees two lac to the Complainant for the month of December, 2017.

Counsel for the Opposite Party No.2 has submitted that after entering into compromise she will not cause any obstruction to the petitioner on the land.

In such circumstances, this application is disposed off with direction to the petitioner to surrender before the **Sub Judge-XV-cum-Additional Chief Judicial Magistrate, Patna**, in connection with **Complaint Case No.2356(C) of 2016** along with Affidavit and copy of the compromise and also the copy of valid receipt showing payment of rupees two lacs for the month of December, 2017, and in that event the Court below will release the petitioner on provisional anticipatory bail to its own satisfaction.



The petitioner will make payment of the installment as per terms and conditions agreed between the parties.

On making full payment of the amount of rupees forty lac, provisional anticipatory bail of the petitioner will be confirmed.

It is made clear that in the event petitioner defaults in making payment of single installment, bail bond of the petitioner will be liable to be cancelled.

This application is, accordingly, disposed off.

**(Sanjay Priya, J)**

JA/-

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